

ESTTA Tracking number: **ESTTA152761**

Filing date: **07/24/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|--|
| Proceeding | 92047744 |
| Party | Defendant CAPLIN, LEE |
| Correspondence Address | CAPLIN, LEE 16133 Ventura Blvd., Suite 675 Encino, CA 91436 UNITED STATES |
| Submission | Answer |
| Filer's Name | Arthur Aaronson |
| Filer's e-mail | artlaw4@aol.com |
| Signature | /Arthur Aaronson/ |
| Date | 07/24/2007 |
| Attachments | Answer-AR-M355N_20070724_113732.tif (4 pages)(4219992 bytes) |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | | |
|--------------------------------------|---|---------------------------|
| LOS ANGELES CONFIDENTIAL MEDIA, LLC, |) | Cancellation No. 92047744 |
| |) | |
| Petitioner, |) | Registration No. 2875852 |
| |) | |
| v. |) | Mark: LA CONFIDENTIAL |
| |) | |
| LEE CAPLIN, |) | |
| |) | |
| Respondent. |) | |

ANSWER TO PETITION FOR CANCELLATION

Registrant, Lee Caplin, hereby appoints Arthur Aaronson, member of the bar of the State of California, with offices at 16133 Ventura Blvd., Suite 675, Encino, CA 91436, as its attorney to defend the Petition for Cancellation filed herein by Petitioner, Los Angeles Confidential Media, LLC, and to transact all business in the Patent and Trademark office in connection with said Petition, and answers said Petition for Cancellation as follows:

1. Answering paragraph 1, of the Petition, Registrant admits Lee Caplin is a resident of the United States.
2. Answering paragraphs 2 through 4, inclusive, of the Petition, Registrant denies generally and specifically all of the allegations set forth therein.

FIRST AFFIRMATIVE DEFENSE

3. The Petition is barred in whole or in part by the Doctrine of Unclean Hands.

SECOND AFFIRMATIVE DEFENSE

4. The Petition is barred by the Equitable Doctrine of Laches.

THIRD AFFIRMATIVE DEFENSE

5. Petitioner is estopped from obtaining the relief sought in the Petition by virtue of its acts, conduct, representations, and omissions.

FOURTH AFFIRMATIVE DEFENSE

6. Petitioner expressly and/or impliedly consented to each and every act complained of in the Petition.

FIFTH AFFIRMATIVE DEFENSE

7. The Petition is barred by Petitioner's fraud and misrepresentations.

SIXTH AFFIRMATIVE DEFENSE

8. The Petition is barred by Registrant's unknowing mistake of which Petitioner was always aware.

SEVENTH AFFIRMATIVE DEFENSE

9. Petitioner has waived its rights, if any, to assert the allegations in the Petition by virtue of Petitioner's own conduct.

EIGHTH AFFIRMATIVE DEFENSE

10. Petitioner failed to allege sufficient facts showing why Petitioner believes it will be damaged by the registration and the ground for cancellation.

NINTH AFFIRMATIVE DEFENSE

11. Registrant does not have sufficient knowledge or information to form a belief as to whether additional applicable, yet unstated, defenses exist; accordingly, Registrant hereby reserves the right to assert such defenses in the event it is discovered that they exist.

WHEREFORE, Registrant prays that the Petition for Cancellation be denied.

DATED: July 18, 2007

Respectfully submitted,

AARONSON & AARONSON

By:



Arthur Aaronson
16133 Ventura Blvd.
Suite 675
Encino, CA 91436
(818) 783-3858

Attorneys for Registrant, Lee Caplin

CERTIFICATE OF MAILING

I hereby certify that the attached Answer to Petition for Cancellation is being deposited with the United States Postal Service as first class mail postage prepaid in an envelope addressed to: (1) Michael J. McCue, Esq. and Christopher M. Law, Esq., Lewis & Roca LLP, 3993 Howard Hughes Parkway, Suite 600, Las Vegas, NV 89169, on July 24, 2007.

Date: July 24, 2007



ARTHUR AARONSON